

NEW YORK STATE SECURITY BREACH REPORTING FORM
Pursuant to the Information Security Breach and Notification Act
(General Business Law §899-aa)

Name and address of Entity that owns or licenses the computerized data that was subject to the breach:

GARVEY SCHUBERT BARER
Street Address: 1191 SECOND AVENUE, SUITE 1800
City: SEATTLE State: WASHINGTON Zip Code: 98100-2939

Submitted by: LUCINDA FERNALD Title: GENERAL COUNSEL Dated: 9/13/2018

Firm Name (if other than entity): _____

Telephone: 206-816-1323 Email: LFERNALD@GSBLAW.COM

Relationship to Entity whose information was compromised: GENERAL COUNSEL

Type of Organization (please select one): ☐ Governmental Entity in New York State; ☐ Other Governmental Entity;
☐ Educational; ☐ Health Care; ☐ Financial Services; ☒ Other Commercial; or ☐ Not-for-profit.

Number of Persons Affected:

Total (Including NYS residents): 292 NYS Residents: 19

If the number of NYS residents exceeds 5,000, have the consumer reporting agencies been notified? ☐ Yes ☐ No

Dates: Breach Occurred: 10/21/2017 Breach Discovered 8/6/2018 Consumer Notification: 9/14/18 or 9/17/18

Description of Breach (please select all that apply):

- ☐ Loss or theft of device or media (e.g., computer, laptop, external hard drive, thumb drive, CD, tape);
☐ Internal system breach; ☒ Insider wrongdoing; ☐ External system breach (e.g., hacking);
☐ Inadvertent disclosure ; ☐ Other specify): _____

Information Acquired: Name or other personal identifier in combination with (please select all that apply):

- ☒ Social Security Number
☐ Driver's license number or non-driver identification card number
☐ Financial account number or credit or debit card number, in combination with the security code, access code, password, or PIN for the account

Manner of Notification to Affected Persons - ATTACH A COPY OF THE TEMPLATE OF THE NOTICE TO AFFECTED NYS RESIDENTS:

☒ Written ☐ Electronic ☐ Telephone ☐ Substitute notice

List dates of any previous (within 12 months) breach notifications: NONE

Identify Theft Protection Service Offered: ☒ Yes ☐ No

Duration: 36 MONTHS Provider: ALLCLEAR ID

Brief Description of Service: (1) IDENTITY REPAIR; (2) FRAUD ALERTS WITH CREDIT MONITORING

**PLEASE COMPLETE AND SUBMIT THIS FORM TO
EACH OF THE THREE STATE AGENCIES LISTED BELOW:**

Fax or Email this form to:

New York State Attorney General's Office
SECURITY BREACH NOTIFICATION
Consumer Frauds & Protection Bureau
120 Broadway - 3rd Floor
New York, NY 10271
Fax: 212-416-6003
Email: breach.security@ag.ny.gov

New York State Division of State Police
SECURITY BREACH NOTIFICATION
New York State Intelligence Center
31 Tech Valley Drive, Second Floor
East Greenbush, NY 12061
Fax: 518-786-9398
Email: risk@nysic.ny.gov

New York State Department of State Division of Consumer Protection
Attention: Director of the Division of Consumer Protection
SECURITY BREACH NOTIFICATION
99 Washington Avenue, Suite 650
Albany, New York 12231
Fax: (518) 473-9055
Email: security_breach_notification@dos.ny.gov



GARVEY SCHUBERT BARER
A PROFESSIONAL SERVICE CORPORATION

SEATTLE OFFICE

second & seneca building
1191 second avenue
eighteenth floor
seattle, washington 98101-2939
TEL 206 464 3939 FAX 206 464 0125

OTHER OFFICES

portland, oregon
washington, d.c.
new york, new york
beijing, china
GSBLAW.COM

Please reply to DONALD B. SCARAMASTRA
dscar@gsblaw.com
206 816 1449

[Date]

[Name]

[Address]

[Address]

Re: Notice of Data Breach

Dear _____:

What Happened: Last month we learned that a former attorney had accessed a document containing sensitive personal information (identified below) of many current and former employees and without authorization exported it from iManage on October 21, 2017. We have been told the former attorney destroyed the document, and we have no reason to believe the former attorney used the information in a way that would harm any current or former employees. We will continue our investigation and will send an update if we learn additional information relevant to the security of your personal information. This notice was not delayed by a law enforcement investigation.

Who Was Affected: The individuals affected were employees on Garvey Schubert Barer's payroll between January 1, 2016 and December 1, 2016. If you are receiving this notice, then your information (described below) was included in the document exported by the former attorney.

What Information Was Involved: The document concerned Garvey Schubert Barer's 2016 matching 401(k) contribution. It contained the following data: full name, social security number, date of birth, address, date of hire, gross pay, and amount of 401(k) contribution.

What We Are Doing: In addition to continuing our investigation, we are taking steps to prevent a similar incident by providing additional training to administrative personnel regarding procedures for securing documents and by implementing a new tool within iManage to alert firm management of unusual activity that may signal an internal security threat. We are also offering identity theft prevention and mitigation services as described below.

What You Can Do - Generally: We recommend that you exercise vigilance concerning the potential for identity theft by reviewing account statements and monitoring free credit reports. We also recommend that you report any suspected identity theft to law enforcement, including the Federal Trade Commission and your state Attorney General. Contact information is enclosed, and you can obtain additional information from these sources about steps to protect your identity.

What You Can Do – Enroll with AllClear ID: As an added precaution, we have arranged to have AllClear ID protect your identity for 36 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 36 months.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-866-979-2595 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Fraud Alerts with Credit Monitoring: This service offers the ability to set, renew, and remove 90-day fraud alerts on your credit file to help protect you from credit fraud. In addition, it provides credit monitoring services, a once annual credit score and credit report, and a \$1 million identity theft insurance policy. To enroll in this service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-866-979-2595 using the following redemption code: **[RedemptionCode]**.

Please note: Following enrollment, additional steps are required by you in order to activate your phone alerts and fraud alerts, and to pull your credit score and credit file. Additional steps may also be required in order to activate your monitoring options.

Other Important Information: The enclosed document, "Steps You Can Take to Protect Your Personal Information and Avoid Identity Theft, provides information regarding identity theft generally and contact information for a variety of resources.

For More Information: If you have questions, contact Jennifer Poole at jpoole@gsblaw.com or by phone at 206-816-1478 (toll free at 888-768-5939) or by letter at the Seattle office address above.

We sincerely apologize for this incident. We know the security of your personal information is very important, and we will do our best to protect it.

Sincerely,

GARVEY SCHUBERT BARER

By

Donald B. Scaramastra, Co-Chair of the 401(k) Plan Administration Committee

Enclosure

STEPS YOU CAN TAKE TO PROTECT YOUR PERSONAL INFORMATION AND AVOID IDENTITY THEFT

Review Your Account Statements and Notify Law Enforcement of Suspicious Activity: As a precautionary measure, we recommend that you remain vigilant and review your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You should also promptly report any fraudulent activity or any suspected identity theft to local law enforcement authorities, your state Attorney General, and/or the Federal Trade Commission (the "FTC"). See below for contact information.

Copy of Credit Report: You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting <https://www.annualcreditreport.com>, calling toll-free 877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can also contact these national consumer credit reporting agencies:

Equifax P.O. Box 105851 Atlanta, GA 30348 Credit Report 1-800-685-1111 Fraud Alert 1-800-525-6285 www.equifax.com	Experian P.O. Box 9701 Allen, TX 75013 1-888-397-3742 www.experian.com	TransUnion P.O. Box 1000 Chester, PA 19016 Credit Report 1-800-888-4213 Fraud Alert 1-800-680-7289 www.transunion.com
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Fraud Alert: You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least 90 days. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at <https://www.annualcreditreport.com>.

Security Freeze: In some states you have the right to put a security freeze on your credit file, which will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, it may interfere with or delay your ability to obtain credit. You must place a separate security freeze with each consumer credit reporting agency. There may be a fee up to \$10 to place, lift or remove the security freeze. In addition, you may be required to provide identifying information such as your full name, social security number, date of birth, current and previous addresses, a copy of your state-issued identification card, or other information.

Additional Free Resources: You may obtain information from the consumer credit reporting agencies, the FTC or from your state Attorney General about steps you can take to prevent identity theft. You may report suspected identity theft to local law enforcement, the FTC or the Attorney General in your state. Contact information is provided below. More information about identity theft is available at these sites: <https://www.transunion.com/identity-theft>; <https://www.experian.com/blogs/ask-experian/identity-theft-statistics/>; and <https://www.consumer.ftc.gov/topics/identity-theft>.

You also have certain rights under the Fair Credit Reporting Act (FCRA): These rights include knowing what is in your credit file; disputing incomplete or inaccurate information; and requiring consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information. For more information, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>.

Note: We are required by statutes in most of the states below to provide contact information for national consumer credit reporting agencies and other resources. However, the most secure practice for an individual notified of a data breach is to verify such contact information independently. The reason is that some criminals send out fraudulent data breach notices directing recipients to contact their own websites or call centers, which then gather information to steal identities.

Contact Information for Other Resources

Federal Trade Commission
Bureau of Consumer Protection
600 Pennsylvania Ave., NW
Washington, DC 20580
<https://www.ftccomplaintassistant.gov>
Telephone: (202) 326-2222

Attorney General's Offices

<p><i>Alaska</i> Alaska Attorney General's Office 1031 West 4th Avenue, Suite 200 Anchorage, AK 99501 http://www.law.state.ak.us/ Phone: (907) 269-5100 / TTY: 907-258-9161 Consumer Protection Unit (Toll-free outside Anchorage): 1-888-576-2529</p>	<p><i>New Jersey</i> State of New Jersey Department of Law & Public Safety Office of the Attorney General Richard J. Hughes Justice Complex 8th Floor, West Wing 25 Market Street Trenton, NJ 08625-0080 https://www.nj.gov/oag/ Main Number: 609-292-4925</p>
<p><i>California</i> Attorney General's Office California Department of Justice Attn: Public Inquiry Unit P.O. Box 944255 Sacramento, CA 94244-2550 https://oag.ca.gov/home Public Inquiry Unit Voice: (916) 210-6276 Toll-free in California: (800) 952-5225</p>	<p><i>New York</i> Office of the Attorney General The Capitol Albany, NY 12224-0341 https://ag.ny.gov/ General Helpline: 1-800-771-7755</p>
<p><i>District of Columbia</i> Office of the Attorney General for the District of Columbia 441 4th Street, NW Washington, DC 20001 https://oag.dc.gov/ General Contact Phone: (202) 727-3400 Office of Consumer Protection: (202) 442-9828</p>	<p><i>Oregon</i> Office of the Attorney General Oregon Department of Justice 1162 Court St. NE Salem, OR 97301-4096 https://www.doj.state.or.us/ Toll-Free Consumer Hotline: 1-877-877-9392</p>

<p>Georgia Office of the Attorney General 40 Capitol Square, SW Atlanta, GA 30334 https://law.georgia.gov/ Phone: (404) 656-3300</p>	<p>Virginia Office of the Attorney General 202 North Ninth Street Richmond, Virginia 23219 https://www.oag.state.va.us/ Main Phone: (804)786-2071 Consumer Protection Hotline: 1-800-552-9963 if calling from Virginia Consumer Protection Hotline: (804) 786-2042 if calling from Richmond or from outside Virginia</p>
<p>Maryland Maryland Attorney General 200 St. Paul Place Baltimore, MD 21202 http://www.marylandattorneygeneral.gov/ Toll-free: 1-888-743-0023 Identity Theft Unit: 410-576-6491 Main Phone: 410-576-6300</p>	<p>Washington Washington State Office of the Attorney General Consumer Protection 800 5th Ave, Suite 2000 Seattle, WA 98104-3188 https://www.atg.wa.gov/ Toll Free: 1-800-551-4636 (in-state only) Phone: 1-206-464-6684 (out-of-state callers)</p>
<p>Maine Office of the Maine Attorney General 6 State House Station Augusta, ME 04333 https://www.maine.gov/ag/ Phone: 207-626-8800</p>	<p>West Virginia Office of the WV Attorney General P.O. Box 1789, Charleston, WV 25326 https://ago.wv.gov/Pages/default.aspx Toll-Free: 1-800-368-8808 Phone: 304-558-8986</p>